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September 6, 2006

VIA FACSIMILE
EXPEDITED PROCEDURE

To: Examiner C. Dune Ly
Group Art Unit No. 2168
U. S. P. T. O.

Facsimile No. 571-273-8300

From: Phillip E. Miller

Facsimile No. 703-761-2375

Re: Filing of Supplemental Response
U. S. Patent Application Serial No. 10/059,421
Our Ref: YOR.275

Dear Examiner:

Enclosed please find a Supplemental Response filed in supplement to the Request for Reconsideration filed on August 23, 2006, which should place the Application in condition for Allowance.

Thank you in advance for your kind consideration of this case.

Very truly yours,


Phillip E. Miller

PEM/jdl
Enclosure

BEST AVAILABLE COPY

Serial No. 10/059,421
Docket No. YOR920010126US2

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Shibuya, et al.

Serial No.: 10/059,421

Group Art Unit: 2168

Filed: January 31, 2002

Examiner: Ly, Cheyne D.

For: SYSTEM AND METHOD FOR IDENTIFYING GENES

Honorable Commissioner of Patents
Alexandria, VA 22313-1450
Box AF

SUPPLEMENTAL RESPONSE

Sir:

In supplement to the Request for Reconsideration filed herein on August 28, 2006,
Applicant states as follows:

REMARKS

As noted in the Request for Reconsideration, claims 1-8, 10, 11, 13-23, 25 and 27-29 stand rejected under 35 U.S.C. §102(b) as being allegedly anticipated by Rigoutsos '99", and claims 9 and 26 stand rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Rigoutsos '99 in view of Delcher.

However, nowhere does Rigoutsos '99, or Delcher, or any alleged combination thereof teach or suggest *"a processor which: translates an open reading frame (ORF) of said DNA sequence into an amino acid translation; and locates in said amino acid translation occurrences of said patterns from said pattern database to determine whether said open reading frame*